



Montana Fish, Wildlife & Parks

**Region 1
490 N. Meridian Road
Kalispell, MT 59901**

**Decision Notice
and
Finding of No Significant Impact
for
Swan River Access Improvements**

May 25, 2017

Description of the Proposed Action:

Montana Fish, Wildlife & Parks (FWP) proposed to issue a 124 permit to Lake County for improvements to a river access along the Swan River. The site has been a popular access point for river recreation and is being affected by high use. The current river access point is a steep cut-bank with no steps or other improvements. The bank has little vegetation. The proposed action by Lake County would relocate the current access point to an upstream area on the same parcel with a gentler slope. The existing access point will be revegetated and a walkway/stairway will be constructed to provide access to the river. The bank repair work will cover approximately 30' and the new access point will affect approximately 10' of bank. The revegetation work will extend approximately 50-60' back onto the bank. All revegetation and access improvement work will be accomplished with hand tools. The purpose of the project is to protect the bank from future erosion and maintain recreational use at the site. The Lake County Parks Board is working with neighbors, residents, and floaters to establish a more reasonable and responsible approach to the water that will discourage misuse, decrease impacts, and repair damage from historical use. Increased use is not expected as a result of the proposed activities.

Public Comment:

FWP accepted public comment on the draft environmental assessment (EA) for a 30-day period, from April 18 through May 17, 2017. The public was notified in the following manners to comment on this EA: Legal ads were published in the Lake County Leader and the Daily Inter Lake, the draft was available on the FWP website, and a statewide news release was issued. Copies of the draft were available from the Kalispell FWP office and the FWP State Headquarters office in Helena, and available for viewing at the Montana State Library and local libraries. Notification of the draft EA was sent to adjacent landowners. During the public comment period, FWP received 6 written comments. Of the comments received, three expressed general support for the project with no further comment. The other three comments received are summarized below.

Response to Comments:

Comment 1: I feel that this is a start to rebuild this illegally developed site, but it also needs to remove and re-vegetate much of the parking area. The existing pavement should be gravel to reduce run-off to adjacent properties. This was never intended to be a major access and was originally developed as a walk-in access only area with limited parking. It was originally developed by

Flathead Lake Lodge to allow commercial use in a sub-division zoned for no commercial use or funneling, With its over-use, It has seriously impacted water quality, fish habitat, waterfowl nesting sites and turtle nesting areas.


Comment 2: I don't feel this will work floaters etc. will still use the old access. The new access will only create more use and erosion. Close this site completely have the floaters use the site down river. Thank you

Comment 3: Access to Montana waterways is important for all Montanans, and safe river access to such a beautiful float as is enjoyed along the stretch of the Swan River beginning at the Rainbow Drive access point is especially important. So I support the improvements. At the same time all Montanans want to be good neighbors, and, in my opinion, improved access should come with equal responsibility to respect the rights of neighboring properties along Rainbow Drive. So, perhaps the parking area at the access point off Rainbow Drive could also be improved and expanded. Indeed, perhaps the total (increased) number of vehicles that at the access point could be limited to just the number the expanded parking area would accommodate. Strict enforcement of set, limited parking durations would facilitate rapid parking turnover and increase access and enjoyment by more floaters and others while limiting the impact on the neighboring properties. So too would strict enforcement of no parking along Rainbow Drive (which becomes very congested during peak float times). It seems to me only fair to neighboring property owners, who pay taxes that help provide the revenues for the maintenance of Rainbow Drive and the river access, that while we improve access we do not shift the burden unfairly to them with overflow parking onto Rainbow Drive or impeding their access and enjoyment of their land.

Response to comments 1-3: The proposed action of issuing a 124 permit to Lake County for the bank revegetation and footpath construction is an effort to minimize damage to an existing high-use area. This permit only applies to activities that affect the banks and bed of the Swan River. This permit process is not a mechanism to regulate or remove access from a state waterbody. Lake County manages and develops their site and associated county roads. Access to the site will remain consistent with past use, but the vegetation trampling and bank erosion issues will be reduced.

Finding of No Significant Impact (FONSI):

Based on the analysis in the EA and review of public comment, I recommended FWP issue a 124 permit to Lake County for the proposed river access improvement project on the Swan River. I have evaluated the EA and applicable laws, regulations, and policies and have determined that this action will not have a significant effect on the human environment. Therefore, an environmental impact statement will not be prepared.



Jim Williams
Regional Supervisor

5/7/17

Date